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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,248	12/12/2003	Eric Dumas	246589US3X	9471
22850	7590	08/04/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			TRIEU, THAI BA	
			ART UNIT	PAPER NUMBER

3748

DATE MAILED: 08/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/733,248	Applicant(s) DUMAS ET AL.	
	Examiner Thai-Ba Trieu	Art Unit 3748	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10 is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>06/28/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

A supplemental Application Data sheet for the purpose of correcting the last name of the 2nd inventor, filed on May 19, 2004 is acknowledged.

This application is in condition for allowance except for the following formal matters:

1. IN THE OATH/DECLARATION:

1. It does not identify the citizenship of each inventor.

2. The **first name** of the 2nd inventor in the declaration and the supplemental Application Data sheet, filed on May 19, 2004, needs to be corrected. The first name of the 2nd inventor "***Piorre***" should be replaced by -- **Pierre** --.

2. CLAIM BENEFIT:

Applicant is required to insert the following paragraph on Page 1, after the title of "Supercharger Arrangements for Engine Assemblies":

-- The present application claims priority of Patent Document No. 02293075.4 filed in Europe, on 12/12/2002, the disclosure of which is expressively incorporated by reference herein.--

3. IN THE INFORMATION DISCLOSURE:

Applicants disclose a European Patent Application **No. 1 179 301**, published on February 13, 2002, which does not relate to **the supercharger arrangements** of the instant application, since the European Patent Application

No. 1179301 A1 discloses ***“a support/shape correction structure for human body and clothing structure provided therewith”***. Applicants are required to provide a correct European Patent Application relating to the instant application.

3. IN THE SPECIFICATION:

1. On Page 7, lines 2-3, ***“a compressor turbine portion 28”*** should be replaced by -- **compressor portion 28** -- (for consistency of the whole specification).

2. Applicant should elect only one term, either ***“mounting holes 60”*** (See Page 9, line 28, and Page 11, line 2), or ***“turbocharger fixing points 60”*** (See Page 12, line 21) to discloses the element ***“60”***, to maintain the consistency of the whole specification.

2. On Page 11, line 23, ***“60”*** after ***“the interface 72A, 72B”*** should be deleted.

3. IN THE DRAWINGS:

- In Figure 1, since the element indicated with the number of ***“26”*** is a compressor, therefore ***“26”*** should be replaced by -- **28** --; and the element indicated with the number of ***“28”*** is a turbine, therefore ***“28”*** should be replaced by -- **26** -- and in order to be incorporated with the specification.

Conclusion

The IDS (PTO-1449) filed on June 28, 2004 has been considered. An initialized copy is attached hereto.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Pleuss et al. (US Patent Number 6,688,103 B2) disclose an apparatus for fastening an exhaust gas turbocharger on an exhaust chamber of a combustion engine.
- Raub et al. (US Patent Number 5,406,795) disclose an exhaust manifold to turbine casing flanges.
- Munk (US Patent Number 3,396,532) discloses a combustion air system.
- Davies et al. (US Patent Number 3,203,514) disclose a turbocharger brake.
- Kronogard et al. (US Patent Number 4,474,007) disclose a turbocharged internal combustion engine having turbochargers (34) being mounted on a V-engine 35.
- Werner et al. (Patent Number EP 1 176 301 A2) disclose a crankcase for an internal combustion engine.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai-Ba Trieu whose telephone number is (703) 308-6450. The examiner can normally be reached on Monday - Thursday (6:30-5:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas E. Denion can be reached on (703) 308-2623. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTB
July 26, 2004



Thai-Ba Trieu
Patent Examiner
Art Unit 3748